

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

IN RE: TRICOR DIRECT PURCHASER
ANTITRUST LITIGATION

THIS DOCUMENT RELATES TO:
C.A. No. 05-605 (KAJ)

Civil Action No. 05-340 (KAJ)
CONSOLIDATED

RITE AID CORPORATION AND RITE AID HDQTRS. CORP.'S
OBJECTION TO DEFENDANTS' NOTICE OF VIDEOTAPE DEPOSITION
OF RITE AID CORP. AND RITE AID HDQTRS. CORP. PURSUANT TO
RULE 30(B)(6) OF THE FEDERAL RULES OF CIVIL PROCEDURE

Plaintiffs Rite Aid Corporation and Rite Aid Hdqtrs. ("Plaintiff"), through its undersigned counsel, hereby object to the Rule 30(b)(6) Deposition Notice of Defendants of the Videotape Deposition of Plaintiff, as follows:

1. Plaintiff objects to the definition of "Rite Aid" on the as over broad, unduly burdensome and vague. Plaintiffs further object to the definition of "Rite Aid" to the extent that it includes Plaintiff's attorneys, consultants and all others purporting to act on behalf of the related business entities.

2. Plaintiff objects to Defendants' efforts to use a Rule 30(b)(6) notice as a request for documents. Plaintiff will not produce any additional documents in response to the 30(b)(6) notice. Plaintiff further objects to the use of the 30(b)(6) as a document request to the extent that when combined with the definition of "Rite Aid" the request for documents could be construed to require Plaintiff to search for and produce documents that are in the custody and/or control of third parties.

3. Plaintiff objects to the subject matters specified in Exhibit A (specifically Topics 2 and 3) to the extent that they seek information relating to Plaintiff's sales, sales prices, sales terms, pricing, and profits because such subjects have no bearing on the claims or defenses in this case and will not lead to the discovery of admissible evidence. The Court has already ruled that defendants are not entitled to "downstream discovery."

4. Plaintiff objects to the subject matters specified in Exhibit A (including Topics 2, 3, and 5) to the extent that they include products other than TriCor, Lofibra, and any other fenofibrate product.

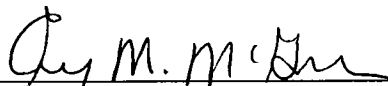
5. Plaintiff objects to Topics 4, 5, 6, 8 and 9 in Exhibit A to the extent that they seek opinions and conclusions on topics that will be the subject of expert testimony.

6. Plaintiff objects to all the subject matters specified in Exhibit A to the extent that they seek the disclosure of information protected from discovery by the attorney-client privilege, the work-product doctrine or any other applicable privilege and/or immunity.

7. Plaintiff objects to all of the subject matters specified in Exhibit A (including Topics 1, 2, 3, 4, 5, 6, 7, and 8) as overly broad, unduly burdensome and as seeking information that is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence.

8. Plaintiff objects to all of the subject matters specified in Exhibit A (including Topics 2, 5, 6) as vague and confusing.

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Dated: November 2, 2006

CERTIFICATE OF SERVICE

I hereby certify that on November 2, 2006, I caused the foregoing document to be served on the following parties via CM/ECF and/or email:

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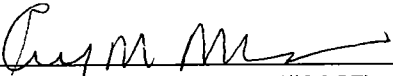
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